

Governor's Executive Orders/Proclamations

EXECUTIVE ORDERS, PROCLAMATIONS OF
GENERAL APPLICABILITY, AND STATEMENTS
ISSUED BY THE GOVERNOR
PURSUANT TO A.R.S. § 41-1013(B)(3)

The Administrative Procedure Act (APA) requires the full-text publication of all Executive Orders, Proclamations of General Applicability, and ceremonial dedications issued by the Governor. In addition, the *Register* shall include each statement filed by the Governor in granting a commutation, pardon or reprieve, or stay or suspension of execution where a sentence of death is imposed. With the exception of egregious errors, content (including spelling, grammar, and punctuation) of these orders has been reproduced as submitted.

PROCLAMATION
by the
GOVERNOR OF THE STATE OF ARIZONA
Calling a Second Special Session
of the Fifty-First Legislature of the State of Arizona

[M14-162]

By the power vested in me by the Arizona Constitution, Article IV, Part 2, Section 3, and Article V, Section 4, respectively, I, Janice K. Brewer, Governor of the State of Arizona, call the 51st Legislature to meet in a Second Special Session at the Capitol on the 27th Day of May, 2014, at 1:30 p.m.

The subjects to be considered at the Second Special Session shall be:

1. Statutory and session law changes; appropriations, including supplemental appropriations and supplemental adjustments and budget reconciliation legislation, for fiscal year 2013-2014 and 2014-2015; and other budgeting or advance appropriations as necessary beyond fiscal year 2014-2015, including appropriations and budget reconciliation legislation; to remove state child welfare programs and services from the Department of Economic Security and create, locate and fund a separate cabinet-level agency, with a statutory mission emphasizing child safety, responsible for administering state child safety and family services and programs, including criminal conduct investigations, child safety investigations, foster care, adoption, and the Comprehensive Medical and Dental Program.
2. An appropriation for fiscal year 2014-2015 to fund the Arizona Ombudsman-Citizens' Aide.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this 22nd day of May in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

*** AMERICAN EAGLE DAY ***

[M14-163]

WHEREAS, the Bald Eagle was designated as America's national emblem on June 20, 1782 by our country's founding fathers at the second continental congress; and

WHEREAS, the Bald Eagle is unique to North America and represents such American values and attributes as Freedom, Courage, Strength, Spirit, Justice, Quality and Excellence; and

WHEREAS, the Bald Eagle's image, meaning and symbolism have played a significant role in the beliefs, traditions, religions, lifestyles and heritage of Americans from all walks of life; and

WHEREAS, the Bald Eagle's image, meaning and symbolism have also played a significant role in American art, music, literature, architecture, commerce, education, culture; and on United States stamps, currency and coinage; and

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WHEREAS, the Bald Eagle was federally classified as an “endangered species” in the lower 48 states under the Endangered Species Act in 1973, and was upgraded to a less imperiled “threatened” status under that Act in 1995; and

WHEREAS, the Department of Interior and the United States Fish and Wildlife Service delisted the Bald Eagle from the Endangered Species Act protection in 2007, but will continue to be protected under the Bald and Golden Eagle Protection Act of 1940 and the Migratory Bird Treaty Act of 1918; and

WHEREAS, the recovery of America’s Bald Eagle population was largely accomplished due to the vigilant efforts of numerous caring agencies, corporations, organizations and citizens.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 20, 2014 as

*** AMERICAN EAGLE DAY ***

and, I further encourage citizens to join in support of the majestic Bald Eagle’s continuing recovery and the protection of its precious natural habitat, and in commemorating the living and symbolic presence of our National Bird.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this fourteenth day of May in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

*** ARIZONA FAMILY REUNIFICATION DAY ***

[M14-164]

WHEREAS, child safety is of the utmost importance; and

WHEREAS, whenever possible and without sacrificing child safety, keeping Arizona families together is an important goal for our communities; and

WHEREAS, the best option for a permanent, safe and loving home for many children in foster care is reunification with their family; and

WHEREAS, prevention and reunification services are critical investments for our child safety system and help to safely reduce the number of children in the foster care system; and

WHEREAS, all children need the care, love, security and stability of family unity, including parents, siblings, grandparents, and other extended family members to provide a solid foundation for personal growth, development, and maturity; and

WHEREAS, reunification takes work, commitment, and investment of time and resources by parents, family members, social workers, foster parents, service providers, attorneys, courts, educators and the community; and

WHEREAS, child safety agencies, along with state and local governments, service providers, and advocates work together to strengthen and support families by providing resources, treatment, and education so parents and guardians are able to care and support for their children; and

WHEREAS, Family Reunification Day is an opportunity to recognize families who have successfully overcome the challenges that brought their children into out-of-home care.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim June 7, 2014 as

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* ARIZONA FAMILY REUNIFICATION DAY *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-ninth day of May in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

* ARIZONA PROJECT MANAGEMENT WEEK *

[M14-165]

WHEREAS, project managers in Arizona have made a significant contribution to our quality of life, enhanced the quality of services within our communities, provided leadership during times of crisis, and helped support economic growth; and

WHEREAS, these dedicated professionals and their teams exemplify the importance of leadership, cooperation, innovation, initiation, and perseverance; and

WHEREAS, project management is a distinct discipline that encompasses a broad range of projects in the private and public sectors: new technology implementations; new home and school builds; efficient transportation systems construction; athletic and entertainment facilities development; and centers of commerce improvements; and

WHEREAS, the Phoenix and Tucson chapters of the Project Management Institute and other professional societies across our nation recognize the contributions project managers have made across the State of Arizona in the world of government, business, and community service.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim November 3 – 9, 2014 as

* ARIZONA PROJECT MANAGEMENT WEEK *

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
GOVERNOR

DONE at the Capitol in Phoenix on this twenty-seventh day of May in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

* CHRONIC PAIN AWARENESS MONTH *

[M14-166]

WHEREAS, over 2.5 million Arizonans suffer from chronic pain, with debilitating conditions like chronic lower back pain, diabetic peripheral neuropathy, fibromyalgia, and arthritis; and

WHEREAS, significant barriers to adequate pain care exist for Arizonans; often patients consult multiple health care providers and live with the pain for years before it is properly diagnosed and managed; and

WHEREAS, studies show that significant savings could be achieved through better treatment of acute pain, reduction in workers' compensation costs and lost tax revenues, and a reduced burden of opioid abuse and misuse; and

WHEREAS, increased awareness and education to raise patient, provider and public understanding of pain, its conse-

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quences, its management and its prevention, will allow communities to better support patients who struggle with chronic pain; and

WHEREAS, public awareness of chronic pain issues is important in order to gain a better understanding of the extent, consequences and causes of pain diseases.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim September 2014 as

*** CHRONIC PAIN AWARENESS MONTH ***

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this fourteenth day of May in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

*** DROWNING IMPACT AWARENESS MONTH ***

[M14-167]

WHEREAS, Arizona ranked second in the nation for child drowning; and

WHEREAS, the drowning incidents in Arizona take the lives of the equivalent of a classroom of children each year; and

WHEREAS, a child drowning can happen to any family regardless of education, race, or socio-economic background; and

WHEREAS, families can take simple steps to protect their children around water to avoid the tragedy of the unnecessary loss of life; and

WHEREAS, water safety remains a priority for Arizona families, communities, and government; and

WHEREAS, keeping children healthy and safe is the goal of Water Watchers at Phoenix Children's Hospital, fire departments, and other prevention organizations in Arizona, and raising awareness will increase understanding and education of effective ways to prevent drowning.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim August 2014 as

*** DROWNING IMPACT AWARENESS MONTH ***

and, I further remind every citizen that the impact of child drowning in Arizona affects everyone.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this twenty-ninth day of May in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

* SMART IRRIGATION MONTH *

[M14-168]

WHEREAS, the State of Arizona recognizes that water is a finite resource that is vital to human life; and

WHEREAS, well-maintained green spaces are important to the health and well being of communities and individuals; and

WHEREAS, abundant supplies of affordable food and fiber raise the standard of living for all citizens; and

WHEREAS, appropriate irrigation technology, combined with best practices, can significantly reduce water usage and runoff while creating healthy lawns, landscaping, and sports turf; and

WHEREAS, appropriate irrigation technology, combined with best practices, can significantly improve water-use efficiency and reduce runoff while achieving greater agricultural yields per acre foot of water used; and

WHEREAS, July is a peak month for the use of water for irrigation; and

WHEREAS, the State of Arizona encourages citizens to install smart irrigation controllers for substantial water savings through our rebate program.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, do hereby proclaim July 2014 as

* SMART IRRIGATION MONTH *

and, I further encourage citizens to recognize the advances in irrigation technology and practices that help raise healthy plants and increase crop yields while using water more efficiently; and to encourage the adoption of smart irrigation practices to further improve water-use efficiency in agriculture, residential and commercial activities.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix on this fourteenth day of May in the year Two Thousand and Fourteen, and of the Independence of the United States of America the Two Hundred and Thirty-eighth.

ATTEST:
Ken Bennett
Secretary of State

EXECUTIVE ORDER 2012-03

State Regulatory Review, Moratorium and Streamlining To Promote Job Creation and Retention

Editor's Note: This Executive Order is being reproduced in each issue of the Administrative Register until its expiration on December 31, 2014, as a notice to the public regarding state agencies' rulemaking activities.

[M12-226]

WHEREAS, my first official action as Governor was to institute a regulatory rule making review and moratorium process ("regulatory review and moratorium") in order to prevent any additional burdens on Arizona's private sector employers and political subdivisions; and

WHEREAS, this rule making review and moratorium process has continued by session law or executive order to this day; and

WHEREAS, a predictable regulatory climate in this State will promote job creation and retention; and

WHEREAS, Arizona's efforts are being rewarded, such as being ranked as one of the top ten best states for business in a survey of chief executive officers this year, the eighth best for job growth in the last year, and the top state for innovators starting new business; and

WHEREAS, last January, I determined that State agencies needed to quicken the pace on streamlining existing rules and reducing wasted time in regulatory processes to increase Arizona's economic competitiveness and job creation, while still protecting public health, safety and the environment; and

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WHEREAS, the 50th Legislature passed and I signed into law House Bill 2744 (2012 Arizona Laws, Chapter 352) which permits a state agency to conduct expedited rulemaking to streamline existing rules; and

WHEREAS, this expedited rulemaking authority will be used, in part, by State agencies to implement the “lean” waste reduction initiative I announced last January to increase the efficiency and service quality of State agencies; and

WHEREAS, I encourage the general public and regulated community to bring forward ideas to State agencies and the Governor's Regulatory Review Council on what rules need to be streamlined and how that can be best achieved while still protecting public health, safety and the environment; and

WHEREAS, the current regulatory review and moratorium expires on June 30, 2012.

NOW, THEREFORE, I, Janice K. Brewer, Governor of the State of Arizona, by virtue of the authority vested in me by the Constitution and laws of this State hereby declare the following:

1. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any rule making except as permitted by this Order. The objective of this Order is to eliminate any unnecessary increased monetary or regulatory costs on employers, persons, individuals, other state agencies, or political subdivisions of this State. This prohibition includes any informal rule making prior to the commencement of the formal rule making process.
2. Paragraph 1 does not apply to state agency rule making for any one or more of the following reasons:
 - a. To fulfill an objective related to job creation in this State.
 - b. To lessen or ease a regulatory burden while achieving the same regulatory objective.
 - c. To prevent a significant threat to the public health, peace or safety.
 - d. To avoid a violation of a court order or federal law that would result in sanctions by a court or federal government against an agency for failure to conduct the rulemaking action.
 - e. To comply with a federal statutory or regulatory requirement or a state statutory requirement if the applicable statute or regulation contains a date certain for compliance on or before December 31, 2014 or is necessary under subparagraph (c) of this paragraph.
 - f. To fulfill an obligation related to fees or any other action necessary to implement the state budget that is certified by the Governor's Office of Strategic Planning and Budgeting.
 - g. To promulgate a rule or other item that is exempt from Title 41, Chapter 6, Arizona Revised Statutes, pursuant to section 41-1005, Arizona Revised Statutes.
 - h. To address matters pertaining to the control, mitigation or eradication of waste, fraud or abuse within a state agency or wasteful, fraudulent or abusive activities perpetrated against a state agency.
3. A state agency, subject to this Order pursuant to Paragraph 4, shall not conduct any informal or formal rule making pursuant to Paragraph 2 or otherwise without the prior written approval of the Office of the Governor.
4. This order applies to all state agencies, except for: (a) any state agency that is headed by a single elected state official, (b) the Corporation Commission, or (c) any state agency whose agency head is not appointed by the Governor.
5. All state officials and state agencies that are not subject to this Order pursuant to Paragraph 4 are encouraged to participate voluntarily within the context of their own rule making process.
6. State agencies may continue a rule making that was authorized by the Office of the Governor on or after January 22, 2009. All state agencies, subject to this Order pursuant to Paragraph 4, shall report to the office of the Governor by July 31, 2012 all pending and anticipated rule making requests. Beginning fiscal year 2013 all state agencies shall submit to the Office of the Governor by the end of each fiscal year an annual report of all pending and anticipated rule making to Office of the Governor.
7. This Order does not confer any legal rights upon any persons and shall not be used as a basis for legal challenges to rules, approvals, permits, licenses or other actions or to any inaction of a state agency.
8. For the purposes of this executive order, “person,” “rule” and “rule making” have the same meanings prescribed in section 41-1001, Arizona Revised Statutes.
9. This Executive Order expires on December 31, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the Great Seal of the State of Arizona.

Janice K. Brewer
G O V E R N O R

DONE at the Capitol in Phoenix, Arizona this 26th day of June in the year Two Thousand Twelve, and of the Independence of the United States of America the Two Hundred and Thirty-sixth.

ATTEST:
Ken Bennett
Secretary of State